

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

ACE OILFIELD RENTALS, LLC,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-15-672-D
)	
WESTERN DAKOTA WELDING)	
AND FABRICATION, LLC,)	
DOUG KERKVLIET,)	
TUCKER PANKOWSKI, and)	
WESDAK WELDING AND)	
DIESEL, LLC,)	
)	
Defendants.)	

ORDER

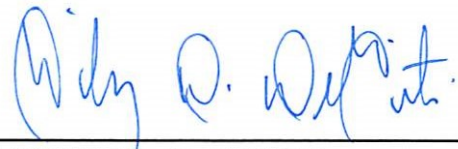
Before the Court is Plaintiff Ace Oilfield Rentals, LLC's Application of Evidence for Reasonable Attorneys' Fees and Costs [Doc. No. 123]. The Court previously granted Plaintiff's motion to compel and renewed motion to compel seeking to compel a deposition and complete discovery responses from Defendant Doug Kerkvliet, and ordered an award of reasonable attorney fees and expenses upon separate application [Doc. No. 122]. By the instant Application, Plaintiff requests an award of \$4,175.50 in fees and \$347.43 in costs. This amount represents 20.1 hours of attorney time at hourly rates of \$240 and \$185. The Application is supported by the declaration of Plaintiff's attorney regarding his firm's work on discovery matters related to Plaintiff's motions to compel. Mr. Kerkvliet made no timely response to the Application. *See* LCvR7.1(g). For this reason, and because the Application presents a reasonable request, the Court finds that the Application should be granted.

The lodestar method, which involves multiplying the number of attorney hours reasonably expended by a reasonable hourly rate, is an “acceptable approach” to determining a reasonable amount of attorney fees to be awarded. *Farmer v. Banco Popular of N. Am.*, 791 F.3d 1246, 1259 (10th Cir. 2015). Importantly, the trial court’s determination of fees need not be exacting, and “should not result in a second major litigation.” *Fox v. Vice*, 563 U.S. 826, 838 (2011) (internal quotation omitted).

The Court finds that the amount of time spent on Plaintiff’s motions to compel and the hourly rates of counsel are reasonable and appropriate. Accordingly, the amount of reasonable attorney fees to be awarded is \$4,175.50 and the amount of reasonable expenses is \$347.43, for a total award of \$4,522.93.

IT IS THEREFORE ORDERED that Plaintiff Ace Oilfield Rentals LLC’s Application of Evidence for Reasonable Attorneys’ Fees and Costs [Doc. No. 123] is **GRANTED**, as set forth herein. Defendant Doug Kerkvliet shall pay \$4,522.93 to Plaintiff by delivery of check or other appropriate form of payment to Plaintiff’s attorneys within 30 days of the date of this Order.

IT IS SO ORDERED this 29th day of September, 2021.



TIMOTHY D. DeGIUSTI
Chief United States District Judge